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## Arizona Medical Board

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December 14, 2005

Thomas D. Lawless Esq.  
Gallagher & Kennedy  
2575 E Camelback Rd  
Phoenix AZ 85016-4240

RE: K.B. v Francis K. Tindall, M.D.  
Case # MD-04-1273A

Dear Mr. Lawless:

The purpose of this letter is to inform you that during the course of the December 7-8, 2005, public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue Dr. Tindall this Advisory Letter for inappropriate up-coding of billing.

An advisory letter is a non-disciplinary action, and is not subject to review by either the Board or the Courts. See *Murphy v. Board of Medical Examiners of the State of Arizona*, 190 Ariz. 441, 949 P.2d 530 (App. 1997). However, the licensee may file a written response to the letter with the Board within thirty days after its receipt A.R.S. § 32-1451(E)(2). If timely received, the response will be attached to the advisory letter and maintained in the licensee's permanent file. The written response will also be hyperlinked to the licensee's profile on the agency's website.

Sincerely,

A handwritten signature in cursive script, appearing to read "Erica Bouton".

Erica Bouton  
Board Coordinator  
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cc: Investigation File